

01/29/2007 13:03

9896866633

HERE'S THE FAX

RECEIVED  
CENTRAL FAX CENTER PAGE 01

JAN 29 2007

TERRY M. HOWLEY  
Inventor, Owner & POA  
Mailing: 4106 E. Wilder Road #288  
Bay City, MI 48706  
Ph. 989-395-4737 Fax 989-509-5999

Facsimile transmittal

To: Kurt C. Rowan Art Unit 3643 Fax: 571-273-8300  
From: Terry M. Howley Date: 1/29/2007  
Re: Application 10/615,762 Pages: Six (6) including cover sheet.  
CC: Peter Poon, Supervisor Examiner Notice of Abandonment Mailed  
12/29/06

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Notes:

Please contact me by phone at 989-395-4737 and facsimile 989-509-5999 if you have any questions.

Thank you.

Terry M. Howley

4106 E. Wilder Road #288

Bay City, MI 48706

Terry M. Howley  
4106 E. Wilder Road #288  
Bay City, Michigan 48706  
989-395-4737 ph. 989.509.5999 facs.

RECEIVED  
CENTRAL FAX CENTER

JAN 29 2007

TERRY M. HOWLEY

01-28-2007

ANSWER TO "NOTICE OF ABANDONMENT" MAIL DATE 12/29/2006

UNITED STATES PATENT AND TRADEMARK OFFICE

ATTN: KURT ROWAN, PETER POON, HARRY MOATZ, JON DUDAS

PATENT APP. 10/615,762

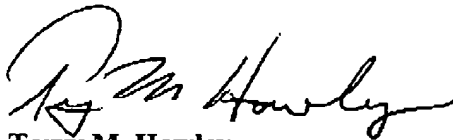
Dear Sirs,

I am in receipt of the attached Notice of Abandonment from Kurt Rowan. Examiner (Art Unit 3643).

As of January 9, 2006 Kurt Rowan specifically instructed me in person at the USPTO to revise my claims of this patent so he would issue it to me. I did exactly that...the same day! To date, it is the same delays, stall tactics and deliberate attempts to prevent me from receiving my rightful patent.

Consider this my official response to his Notice of Abandonment. There is to be no abandonment. I know my rights. Every legal recourse in my power will be exercised to remedy all these blocks to issue my patent.

Again, you may look forward to seeing me very soon in Alexandria, Virginia, personally.



Terry M. Howley  
989.395.4737

cc: Kurt Rowan, USPTO Examiner  
Peter Poon, USPTO Examiner Supvrs.  
Jon Dudas, USPTO Acting Director  
Harry Moatz, USPTO Office of Enrollment & Discipline

1/29/07  
MAILED / FAXED TO:  
(703) 739-0785  
1<sup>st</sup> OF 5 pgs

Answer to Notice of Abandonment 01/28/07 (Page 1 of 1)

JAN 29 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,762	07/09/2003	Terry M. Howley		9900

7590 12/29/2006  
TERRY M. HOWLEY  
4106 WILDER ROAD, NO. 288  
BAY CITY, MI 48706

EXAMINER

ROWAN, KURT C

ART UNIT	PAPER NUMBER
----------	--------------

3643

MAIL DATE	DELIVERY MODE
-----------	---------------

12/29/2006

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

COPY

JAN 29 2007

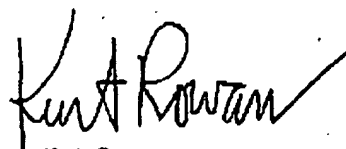
<b>Notice of Abandonment</b>	Application No.	Applicant(s)	
	10/615,762	HOWLEY, TERRY M.	
	Examiner	Art Unit	
	Kurt Rowan	3643	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 01 June 2006.
  - ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - ☒ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

**COPY**

  
 Kurt Rowan  
 Primary Examiner  
 Art Unit: 3643

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Terry M. Howley  
4106 E. Wilder Road #288  
Bay City, Michigan 48706  
989-395-4737 ph. 989.509.5999 facs.

.....  
**TERRY M. HOWLEY**

5-25-2006

**COMPLAINT**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**ATTN: HARRY MOATZ**

**PATENT APP. 10/615,762**

COPY

**Dear Sir,**

Mr. John McCulloch is attorney in two law firms! He has withheld information from me. I still do not know what this document is because Mr. McCulloch has not shown it to me. Supervisor, Peter Poon, told me how to access public files on the Internet. When I fired McCulloch, I had instructed him to forward ALL correspondence to me. All searches, applications and contacts at the USPTO to this date he has not complied with this request.

Furthermore, I came down here from Michigan and revoked his Power of Attorney in both offices!! I have met with Kurt C. Rowan twice and he is still sending my paperwork to Mr. McCulloch. Why?!! He knows I fired McCulloch. The last time I was here was in January, and the time before was in October, 2005 making sure Mr. Rowan knew he was fired. Mr. Poon approved my patent application and yet I still do not have it! Mr. Rowan and I have met twice now and my third meeting is scheduled for Tuesday, May 30, 2006 at 4:00 pm. Mr. Rowan has punched holes all through my patent application and making me go through unneeded expense. I have asked him to have Mr. Poon at the meeting to no avail.

Also enclosed in this complaint is Mr. McCulloch's letter to me from a year ago about his meeting with Mr. Poon. You tell me if there is any collusion between Mr. Rowan and Mr. McCulloch? My first patent was never this hard! Also, Kurt Rowan was the examiner. I ask only that I am granted my patent as it stood a year ago with only one (1) change and that is this: "A rest for an elongate article substantially as herein described with reference to figures 1 and 2, figures 3 to 5 or figures 3 to 8". All are enclosed!

.....  
*Moatz Complaint 05-25-06 (Page 1 of 2)*

January 25, 2007  
Page 2

Also enclosed is Mr. McCulloch's letter to me wanting to be 49% partner!!! I also have noticed tampering with my file! The only one who could tamper with my file is Mr. Rowan! Civil suits are soon to follow. There are ethics violations and more damages to me and my team. As it looks to me and my team, there are other documents missing! Where is the same document on my fishing apparatus 10/021,977 granting me a filing date? I have the patent. There are several other patents that Mr. Rowan and Mr. McCulloch have been privy to with appropriate steps to guard against theft shown to Mr. Rowan. I am requesting a new examiner NOW and proper discipline measures taken against all involved...twenty-seven (27) attorneys and one (1) examiner? Is there more? Further investigation on my part is on-going! I have also spoken with my State Senator Jim Barcia stating only the facts!

On file for your inspection are as follows: Disclosure Document No.s 592913, 592912, 592911, 592910, 592909 and 592908. These were filed the day after meeting personally with Kurt C. Rowan! Poor man's patents I also have, sent directly to me via the USPS.

Question remains: Who else also has access to my files? Number should be changed to protect against unauthorized use from those who know or who are getting inside information still!!! Mr. Rowan told me to stop what I am doing. I went Global on this patent 10/615,762 January 9, 2006...the day before meeting with Mr. Rowan.

Sincerely,

**Terry M. Howley**  
**989.395.4737**

COPY

cc: Kurt Rowan, USPTO Examiner  
Peter Poon, USPTO Examiner Supvtr.  
Jon Dudas, USPTO Acting Director  
James Barcia, Michigan State Senator  
Michael Cox, Attorney General